

**Auxiliary and Remedial Services (Chapters 192 & 193)
For Nonpublic School Students**

Updated for 2014-15

**Includes the Documentation Required
for a State Aid Audit**

David C. Hespe
Acting Commissioner of Education

Evo Popoff
Deputy Commissioner
Division of Innovation

Jessani Gordon
Director
Office of School Choice and Nonpublic School Services

Gregory Kocher
Program Manager
Nonpublic School Services

New Jersey Department of Education
Division of Student Services
100 River View Plaza
P.O. Box 500
Trenton, New Jersey 08625-0500

STATE BOARD OF EDUCATION

ARCELIO APONTE President	Middlesex
JOSEPH FISICARO Vice President	Burlington
MARK W. BIEDRON	Hunterdon
RONALD K. BUTCHER	Gloucester
CLAIRE CHAMBERLAIN	Somerset
JACK FORNARO	Warren
EDITHE FULTON	Ocean
ERNEST P. LEPORE	Hudson
ANDREW J. MULVIHILL	Sussex
J. PETER SIMON	Morris
DOROTHY S. STRICKLAND	Essex

David C. Hespe, Acting Commissioner of Education
Secretary, State Board of Education

TABLE OF CONTENTS

<u>PART</u>		<u>PAGE</u>
I.	OVERVIEW.....	4
II.	CHAPTER 192.....	13
III.	CHAPTER 193.....	19
IV.	APPENDICES.....	25
	<ul style="list-style-type: none"> • Appendix A - Definitions of terms for K-2 Eligibility Criteria • Appendix B - Performance-Based Assessments, Screenings, Reading Screening Examples • Appendix C - Educational Supports for Students in Kindergarten through Grade 3 • Appendix D - <i>Chapter 192 & 193 - Timely and Meaningful Consultation Guidance Document</i> • Appendix E - Sample 407-1 Forms <ul style="list-style-type: none"> ➤ New Jersey Resident: Nonpublic School Student Application for Chapters 192 and 193 Services ➤ Non-New Jersey Resident: Nonpublic School Student Application for Chapter 193 Services • Appendix F - Chapter 192/193 Procedures for State Aid Audit 	

PART 1 OVERVIEW

INTRODUCTION

Auxiliary Services, commonly referred to as Chapter 192 programs, provide nonpublic school students with services such as compensatory education, English as a second language, and home instruction. Remedial services, referred to as Chapter 193 programs, provide nonpublic school students with services such as evaluation and determination of eligibility for special education and related services, supplementary instruction, and speech-language services. New Jersey's Chapter 192 and Chapter 193 programs are provided to eligible students enrolled full-time in nonpublic elementary and secondary schools in New Jersey.

STATUTORY INTENT

[*N.J.S.A. 18A:46A-1 et seq.*](#) (Chapter 192, Laws of 1977) authorizes the provision of auxiliary services to students enrolled in nonpublic elementary and secondary schools in the state: "The Legislature hereby finds and determines that the welfare of the state requires that present and future generations of school age children be assured the opportunity to develop to the fullest of their intellectual capacities. It is the intent of the Legislature to insure that the State shall furnish on an equal basis auxiliary services to all students in the state in both public and nonpublic schools."

[*N.J.S.A. 18A:46-19.1 et seq.*](#) (Chapter 193, Laws of 1977) authorizes the provision of remedial services for handicapped students enrolled in nonpublic elementary and secondary schools in the state: "The Legislature hereby finds and determines that the security and welfare of the state require that all school-age children be assured the fullest possible opportunity to develop their intellectual capacities. In order to achieve this objective it is the intent of the Legislature to require that State and local communities identify and provide remedial services for handicapped children in both public and nonpublic schools."

SERVICES

Under Chapter 192, the following auxiliary services are available:

- Compensatory Education
- English as a Second Language
- Home Instruction

Under Chapter 193, the following remedial services are available:

- Evaluation and Determination of Eligibility for Special Education
- Supplementary Instruction
- Speech-Language

GENERAL ELIGIBILITY REQUIREMENTS

Chapter 192 and Chapter 193 services are available only to students who meet all of the following criteria, with one exception noted below (see Notes):

- Are enrolled full-time in a nonpublic elementary or secondary school (grades K-12) located in New Jersey;
- Have parents or guardian who live in New Jersey;

NOTES:

(1). When a student boards at a nonpublic school, the public school district in which the parent(s) reside is considered the child's district of residence.

(2). Non-resident students who attend a nonpublic school located in New Jersey are eligible to receive Chapter 193 evaluation and classification services. However, non-resident students are not eligible for the additional Chapter 193 services (supplementary instruction and speech correction) and may not receive any Chapter 192 services.

- Are between the ages of five and twenty for Chapter 192 services, and between five and twenty-one for Chapter 193 services;
NOTE: Kindergarten students must meet the age requirements of the district where the nonpublic school is located in order to be eligible to receive services. Typically, a student must be 5 years old by October 15 of the current school year to be eligible.
- Meet the criteria for eligibility as determined by the New Jersey Department of Education (NJDOE) for the specific service; and
- Have parent or guardian consent by their signature on the Application for the Chapter 192 and Chapter 193 Services (407-1 form).

STUDENT APPLICATION FOR SERVICES

[N.J.S.A. 18A:46A-5](#) and [18A:46-19.5](#)

[N.J.A.C. 6A:14-6.2](#)

During the school year, the parent or guardian of a nonpublic school student may request the Chapter 192 and Chapter 193 services by completing and submitting a signed student application (407-1 form); and submitting it to one of the following:

- The nonpublic school:
 - The nonpublic school must transmit the signed student application to the local public school district within five working days.
- The local public school district where the nonpublic school is located:
 - The district must transmit the student application to the service provider within five working days after receipt from the nonpublic school.
- The service provider, if appropriate:
 - If a district contracts with a third-party provider, the nonpublic school or parent may submit the student application directly to the third-party provider as specified in the district contract with the third-party provider. Third-party providers should

send copies of the student applications to the district at least every 30 days to keep the district informed.

Submission of the student application does not make the student eligible for the Chapter 192 and Chapter 193 services. The public school district responsible for Chapter 192 and Chapter 193 services must verify the eligibility and complete the disposition section of the student application stating whether the services will be provided. If the public school district contracts with a third-party provider, the third-party provider may sign the disposition section of the application if the contract with the district specifically allows this. NOTE: Services can only be denied if a student is deemed ineligible as determined by the eligibility criteria.

A new student application for each student must be completed and submitted before services can be provided in the following year. In order to simplify the process, a single student application (407-1 form) may be submitted for the provision of multiple services. Any subsequent requests for services will require the submission of another 407-1 form.

Template 407-1 forms are provided in [Appendix E](#). Districts and third-party providers may use these forms or create custom forms that include all the requested information.

RESPONSIBILITIES OF PARTICIPATING NONPUBLIC SCHOOLS

[N.J.S.A. 18A:46A-2](#), [18A:46-19.2](#), [18A:38-25](#), [18A:6-4](#)
[N.J.A.C. 6A:14-6.2](#)

A “nonpublic school” in New Jersey is defined as an elementary or secondary school other than a public school, offering education for grades K-12, or any combination of them, wherein students may legally fulfill the compulsory school attendance requirement for children between the ages of six and 16 years by receiving an education that is academically equivalent (curricular content) to that provided in the public school for students of similar grades and attainments.

The nonpublic school must:

- Comply with the requirements of the [Civil Rights Act of 1964 \(P.L. 88-352\)](#): no person in the United States shall on the grounds of race, color, or national origin, religion, sex, age or disability be subjected to discrimination under any program or activity receiving state and/or federal financial assistance.
- Submit the [Nonpublic School Enrollment Data Report](#) form to the Office of Educational and Information Technology each year.
- Keep its contact and location information current with the Office of Nonpublic School Services. If a nonpublic school moves to a new district, it is critical to notify the NJDOE and update the information so that funds will be redirected to the new district of location. If the funding allocation from the NJDOE is sent to the old district, the nonpublic school must work with the two districts to either have the funds transferred to the new district or

seek an agreement with the old district to continue the provision of services for the current school year. This may cause a delay in receiving services.

- Carefully review its school entitlement notice when received and notify NJDOE of any errors. Changes will be at the discretion of NJDOE.

RESPONSIBILITIES OF THE DISTRICT BOARD OF EDUCATION

Chapter 192: [N.J.S.A. 18A:46A-1 et seq.](#)

Chapter 193: [N.J.S.A. 18A:46-6, 8, 19.1 et seq.](#)

Compensatory education: [N.J.A.C. 6A:14-6.2\(e\)](#)

English as a second language: [N.J.A.C. 6A:15 et seq.](#)

Evaluation and determination of eligibility for special education and related services, supplementary instruction, speech-language services and home instruction: [N.J.A.C. 6A:14 et seq.](#)

In accordance with the state laws, the district board of education of the public school district in which the nonpublic school is located is responsible for verifying the eligibility of the students and ensuring that the Chapter 192 and Chapter 193 services are provided.

Annual Consultation Requirement

It is the responsibility of the public school district in which the nonpublic school is located to consult annually with the nonpublic school representatives regarding the provisions of services to the students under the Chapter 192 and Chapter 193 programs.

Districts that contract with a third party provider may wish to invite the provider to the consultation meeting. Third party providers may coordinate the scheduling of the meetings to enable their attendance, but the NJDOE strongly advises that the local school district representative attend the meeting since the district is responsible for the delivery of services to the nonpublic schools.

The district is responsible for:

- Retaining letters of correspondence or other notices of consultation meetings
- Retaining dated sign-in sheets of all consultation meetings

Telephone conferencing is acceptable, provided the district obtains a signature from the nonpublic school administrator acknowledging the outcome of the phone conference.

According to [N.J.S.A. 18A:46-19.7](#) and [18A:46A-7](#), “Prior to any change in the provision of these services the board shall provide timely and meaningful consultation with appropriate nonpublic school representatives, including parents.” Any change to a provider of nonpublic school services is a change requiring prior consultation. The NJDOE recommends that the consultation include the following:

- Input from both the nonpublic school administrator and parents regarding their level of satisfaction with the current provider and any concerns relative to the delivery and quality

of services and outcomes desired. Input from parents may be gathered through a survey, a face-to-face meeting or through the nonpublic school administrator.

- The board's reasons why it wants to change the provider.
- A listing of providers being considered and their suitability for the students' situations.

Please see the *Chapter 192 & 193 - Timely and Meaningful Consultation Guidance Document* in [Appendix D](#) for more information on these requirements.

Districts Contracting with a Third-party Provider

The public school district in which the nonpublic school is located must provide the required service itself or may contract with another district, an educational services commission or an NJDOE approved clinic or agency to provide all or part of the required services. If the public school district contracts with a third-party provider, the district retains complete responsibility for overseeing the Chapter 192 and Chapter 193 services. **Entering into an agreement with a provider does not relinquish district responsibility for the oversight of Chapter 192 and Chapter 193 services.**

If the public school district responsible for Chapter 192 and Chapter 193 services enters into a contract with a third-party provider, the public school district may give the third-party provider authority to sign the disposition section of the 407-1 form. The authority given should be detailed in the contract between the district and third-party provider. In addition, the public school district should receive from the third-party provider a monthly detailed statement of the students receiving services for billing purposes. The public school district should receive the 407-1 form before making payment for services to the third-party contactor.

Third party contracts established between the district and the provider should include the following:

- The scope and nature of services
- The cost and method of payment for services
- Professional staff, facilities and student records for services
- Details of administration of the programs to be provided
- A budget with the following costs outlined:
 - administration
 - per student amounts for each service
 - total program

It is recommended that multi-year contracts not exceed three years. Contracts should be reviewed annually to ensure providers are providing services as contracted.

Staff Responsible for Services

[N.J.S.A. 18A:46A-7](#) and [46-19.7](#)

[N.J.A.C. 6A:14-6.2\(h\)](#)

The public school district responsible for the Chapter 192 and Chapter 193 services is responsible for staffing either internally, through a contract with another district, an educational services commission, [or an approved clinic or agency](#). The NJDOE maintains a directory of [approved clinics and agencies](#) that have met specified criteria according to [N.J.A.C. 6A:14-5.1](#) and are approved to contract with public school districts to provide Chapter 192 and/or Chapter 193 services. The staff providing the Chapter 192 and Chapter 193 services must be employees of the public school district, educational services commission or approved clinic or agency and must be appropriately certified.

Facilities

[N.J.S.A. 18A:46A-5](#) and [46-19.5](#)

[N.J.A.C. 6A:14-6.2\(i\)](#)

The public school district or service provider responsible for Chapter 192 and Chapter 193 services is responsible for determining the site for the instructional services after discussing in the annual consultation with the nonpublic school principal or his/her representative.

The public school district and service provider are permitted to provide the Chapter 192 and Chapter 193 instructional services in a sectarian nonpublic school in accordance with the provisions summarized below.

Before providing the Chapter 192 and Chapter 193 instructional services in a religious nonpublic school, the public school district or service provider must ensure that the space for instruction within the school has the appropriate certificate of occupancy and health and fire inspection certificates. The public school district or service provider may not repair, remodel or perform construction on the nonpublic school building in order to prepare the facility for the provision of these services.

When the public school district, service provider and nonpublic school agree to provide the Chapter 192 and Chapter 193 instructional services in a sectarian nonpublic school, the public school district or service provider must direct and supervise the instructional services. During the time of instruction, the public school district or service provider must ensure that religious matter is not introduced; and staff providing the instructional services are employees of the public school district or service provider, or are contracted by the public school district.

If the public school district or service provider is utilizing a trailer or mobile unit placed on nonpublic school property to provide the Chapter 192 and 193 services, the trailer or mobile unit must be approved by the County Superintendent in accordance with [N.J.A.C. 6A:26-6 et seq.](#) The facility approval requires a certificate of occupancy and also health and fire inspection certificates. Trailers and mobile units for Chapter 192 and Chapter 193 services must be accessible to individuals with disabilities in accordance with the Barrier Free Code of the Uniform Construction Code ([N.J.A.C. 5:23-7.1 and 7.2 \(a\)](#)).

If the public school district or service provider provides the Chapter 192 and Chapter 193 services using computer assisted instruction (CAI) in a nonpublic school, the public school district or service provider must direct and supervise the computer assisted instruction program.

Student Transportation

[N.J.S.A. 18A:46A-6 and 46-19.6](#)

[N.J.A.C. 6A:14-6.2\(k\)](#)

The public school district responsible for the Chapter 192 and Chapter 193 services must request Chapter 192 and Chapter 193 funds through the [Report of Nonpublic Auxiliary and Handicapped Services](#) to provide students with transportation to and from the instruction area and/or to provide the maintenance of the vehicular classrooms if required under the provision of Chapter 192 and Chapter 193 services. The district board of education of the public school district in which the nonpublic school is located must provide for such transportation and maintenance, and the cost must be paid from state funds received by the district for the programs.

Student Records

[N.J.A.C. 6A:32 and 6A:32-7 et seq.](#)

[N.J.A.C. 6A:14-6.2\(l\)](#)

The public school district responsible for the Chapter 192 and Chapter 193 services must maintain and provide for the security of the Chapter 192 and/or Chapter 193 records of nonpublic school students receiving services. If the public school district contracts with a service provider for the services, the service provider may retain student records as contracted with the public school district while services are being provided. The Chapter 192 and Chapter 193 student records are returned to the public school district responsible for the services when the programs are terminated. The provider should retain a copy of the cover page of the student's service plan (SP) and 407-1 form for record-keeping purposes. Records should be retained for seven years as specified in New Jersey's records retention policy.

For each student requesting Chapter 192 services, the fully completed 407-1 form must be maintained by the service provider and/or local district. The test score and other criteria will be written on the 407-1 form and the back-up data must be available upon request and is subject to an audit. If the form does not include a test score, the district or service provider may be asked to provide evidence that the scores were actually compiled and reviewed.

For classified students, the 407-1 form may list the student's classification; however the entire SP must be available.

Electronic record keeping is an alternative to paper files. The same rules apply to electronic record keeping as to paper files. Third-party providers should obtain an agreement with the district(s) they contract with in regard to electronic files.

Please see the *Chapter 192/193 Procedures for State Aid Audit* in [Appendix D](#) for detailed information on the documentation that must be maintained by the school district.

Fiscal Management

[N.J.S.A. 18A:46A-8, 9, 10, 11, 12, 13, 14](#) and [46-19.8](#)

[N.J.A.C. 6A:14-6.3 and 6.4](#)

Funding - The public school district in which the nonpublic school is located provides the Chapter 192 and Chapter 193 programs and services utilizing state funds received by the public school district for the programs and services. To obtain Chapter 192 and Chapter 193 state funds for the next school year, the public school district must submit the [Report of Nonpublic Auxiliary and Handicapped Services](#) in November of the present school year to the NJDOE, Office of School Funding. The report contains the following information:

- The number of nonpublic school students identified to receive services under Chapter 192 during the prior school year;
- The number of nonpublic school students identified to receive services under Chapter 193 during the prior school year; and
- Anticipated cost of transportation and/or maintenance of vehicular classrooms required for nonpublic school students to receive services for the next school year.

Additional Funds - The public school district responsible for Chapter 192 and Chapter 193 services must request additional state funds when the present level of funding is insufficient to provide services for additional students identified under the provisions of Chapters 192 and 193. The public school district must submit the [Request for Additional Funding Under the Provisions of Chapters 192/193](#) to the NJDOE, Office of School Funding, to obtain approval.

Funding Limitations - The public school district responsible for the Chapter 192 services is permitted no more than six (6) percent of the state funds received by the district under Chapter 192 for administration of the program, and no more than six percent of the state funds received by the district under Chapter 193 for administration of the program. Also the public school district is permitted no more than 18 percent of the state funds received by the district under Chapter 192 to rent/maintain facilities. The public school district must provide the services to nonpublic school students at a cost not to exceed the amount of the state funds received by the district for the programs.

Project Completion Report - The public school district responsible for the Chapter 192 and Chapter 193 services must submit the [Nonpublic Student Services Project Completion Report for the Chapter 192 Services and the Chapter 193 Services](#) according to the online filing schedule in the current school year to the NJDOE, Office of School Funding.

The public school district must maintain an accounting system for the Chapter 192 and Chapter 193 programs and services following the financial accounting procedures of the NJDOE, Office of School Funding. At the end of the school year, if the expenditures are less than the state funds

received by the district for the programs, the public school district must return the unexpended state funds to the NJDOE no later than December 1.

PART II

CHAPTER 192 SERVICES

COMPENSATORY EDUCATION

[N.J.S.A. 18A:46A-2\(e\)](#)

[N.J.A.C. 6A:14-6.2\(e\)](#)

Compensatory education services are available to an eligible student in language arts literacy (reading and/or writing) and mathematics. A student is eligible if the public school district determines, based on the criteria listed below, that the student has academic needs that prevent the student from succeeding academically in the classroom. The nonpublic school is responsible for providing all information for determining eligibility, as follows:

Eligibility Criteria for students in grades 3 - 12

Nonpublic schools must administer a standardized test to determine eligibility for Chapter 192 services. Nonpublic schools provide results of the standardized test to the local school district or third-party provider to determine eligibility for Chapter 192 services.

In grades 3 - 12, a student must score at or below the 40th percentile on the most recent version of a valid and reliable commercial standardized instrument that assesses academic skills, is administered systematically, and based on objective data. IQ tests (such as the Stanford Binet) and college admission or preliminary college admission tests (such as the PSAT) do not meet these criteria. If a nonpublic school is using a testing instrument that is not the most current version of the instrument, the nonpublic school may use the older version for up to two years and then must transition to the most recent version of the test. Students must be tested annually to determine eligibility for services. If a student in grades 3-12 exhibits poor class performance including low/failing test grades in language arts literacy and/or mathematics, did not score below the 40th percentile, but did score below the 50th percentile on a commercial standardized instrument administered by the nonpublic school, eligibility for services will be determined by educationally related objective criteria such as report card grades, book level tests, teacher ratings and writing samples.

If a student enters a nonpublic school from a public school district prior to October 1, the nonpublic school may use the scores from the previous spring's New Jersey statewide testing program. A student is determined to be eligible for support in language arts literacy and/or mathematics if his/her scores fall in the partially proficient range of the subject area on the New Jersey Assessment of Skills and Knowledge (NJ ASK) or High School Proficiency Assessment (HSPA).

Note: For students entering in grades 4 through 12 with no NJ ASK or HSPA results, the nonpublic school may use scores from a standardized assessment administered after March 15 of the previous spring, if available.

Eligibility Criteria for students in grades K – 2

To assess young children's strengths, progress, and needs, assessment methods that are developmentally appropriate, and culturally and linguistically responsive must be used. These

assessments should be drawn from children's performance during daily activities. Because of variability in early development and due to limited test-taking skills, in grades K-2, determination of eligibility must be based on multiple measures of the child's performance. It is the responsibility of individual nonpublic schools to define what will be included in the child's portfolio of evidence.

Kindergarten students can gain entrance in the program after 30 days in school and evidence of need, which should include an observational assessment (e.g., Developmental Tasks for Kindergarten Readiness II, DTKR-II), screenings (e.g., Early Screening Inventory for Kindergarten, ESI-K) and samples of work to establish an academic baseline. It is also recommended that a reading screening (e.g., Developmental Reading Assessment, DRA2) be given mid-year and end-of-year during the kindergarten year to support the students' early language and literacy acquisition and differentiation of instruction as needed.

Over the course of the kindergarten year, a portfolio of student's work will be collected to provide evidence of eligibility for services in first grade. By the end of the kindergarten year, the portfolio should include an observational assessment done at the end of the year, work samples, report cards, and teacher recommendations from both the classroom teacher and Comp Ed teacher.

For students in grades 1 and 2 (who were not determined eligible for services in Kindergarten) the assessments used to determine eligibility will include information from at least three of four measures, as defined below:

1. Teacher and parent survey, interviews, observational assessments
2. Samples of children's work that are collected over time (minimum 30 days of school in the current grade)
3. Developmental screenings or performance based assessments
4. Tests and/or projects. Include report cards as they become available.

The nonpublic school is responsible for determining eligibility, as follows:

- Identifying the appropriate assessments to use based on the four eligibility measures listed above.
- Developing a portfolio of evidence that demonstrates the child's areas of need.
- If three of the four measures listed are met, a copy of the portfolio is to be provided to the local school district/third-party provider who maintains a copy for audit purposes.

Districts and providers: Use the following checklist to determine if an assessment procedure is appropriate and the portfolio presented by the nonpublic school can be accepted:

1. Assessments use multiple sources of evidence gathered over time (no less than 30 days of attendance in any given school year). The assessment system emphasizes repeated, systematic observation, documentation, and other forms of performance assessment.

2. Families are part of the assessment process with regular communication, partnership, and involvement. They are notified before and after any formal assessments, and are included in any decisions regarding the provision of services.
3. Ethical principles underlie all assessment practices. Decisions are not made about children on the basis of a single assessment.
4. Assessments are used in ways consistent with the purposes for which they were designed.
5. Assessments are designed for and validated for use with children whose ages, cultures, home languages, socioeconomic status, abilities and disabilities, and other characteristics are similar to those of the children with whom the assessments will be used.
6. Formal assessments are valid and reliable. Accepted professional standards of quality are the basis for selection, use, and interpretation of any assessment instruments, including screening tools.
7. The evidence used to assess young children's characteristics and progress is derived from real-world classroom or family contexts that are consistent with children's culture, language, and experiences.
8. When a screening or other assessment identifies concerns, appropriate follow-up is used. Eligibility is not determined based on a brief screening or one-time assessment.
9. Formal standardized testing and individually administered, norm-referenced and criterion-referenced tests are limited to situations in which such measures are appropriate and beneficial.
10. Persistent and/or significant concerns about individual children are referred to the CST to determine if the child would be eligible for special education services.

NOTE: Definition of terms is provided in [Appendix A](#). Acceptable performance-based assessments, screenings, and reading screening examples can be found in [Appendix B](#). [Appendix C](#) includes a list of best practice methods for supports for this age group of students (kindergarten through grade 3).

Record Keeping

A copy of the student's assessment results and/or other educational documentation used to determine student eligibility for services must be made available at the request of the NJDOE. If the district or service provider is unable to produce these documents an audit finding may result in a recovery of funds.

To provide Chapter 192 compensatory education, a certified teacher of the public school district/service provider develops and implements an individual student improvement plan for the students in need of compensatory education. An individual student improvement plan in reading, writing and/or mathematics addresses the student's needs, instructional program (goals and measurable objectives, frequency and duration, and also teaching techniques, materials, and resources), evaluation procedures that are used to measure progress toward performance standards, and exit criteria (at or above the minimum level of proficiency in reading, writing and/or mathematics and also multiple assessment criteria in addition to test scores).

To document eligibility for language arts literacy (reading and writing) and/or math, check the appropriate service(s) in Section 4 of the student application (407-1 form) and record the corresponding assessment results (both primary and secondary measures). Initial student applications (407-1 forms) may include documentation for multiple services. However, each subsequent service for which a student may become eligible will require the completion of a separate student application (407-1 form).

ENGLISH AS A SECOND LANGUAGE

[N.J.S.A. 18A:46A-2\(c\)](#)

[N.J.A.C. 6A:15 et seq.](#)

English as a second language services are available to an eligible student identified as limited English proficient. The student develops proficiency in English language skills in the areas of aural comprehension, speaking, reading and writing. A teacher appropriately certified as a teacher of English as a second language from the public school district or service provider provides the service.

Eligibility Criteria

- The student's native language must be other than English;
- The student must score below the cut-off level of English language proficiency on a department-[approved language proficiency test](#); and
- The student must have at least one other indicator*.

The parent(s) or guardian(s) must be notified in their native language to ensure their understanding of the process, their rights, and the form completion. For Chapter 192 English as a second language (ESL) services, the parents or guardians must identify the student's native language in Section 4 of the student application (407-1 form), thus certifying that the student's native language is other than English. The student's native language means: the language first acquired by the student, the language most often spoken by the student or the language most often spoken in the student's home, regardless of the language spoken by the student. The local public school district/service provider determines the student's English language proficiency and eligibility for Chapter 192 ESL services through an English language proficiency test and other indicators.

The NJDOE mandates the use of a state-approved language proficiency test. State-approved English language proficiency tests and the corresponding standards for determining limited English proficient may be found at http://www.state.nj.us/education/bilingual/resources/prof_tests.htm. New Jersey public school districts that receive Title III funds for limited English proficient (LEP) students must assess the English Language proficiency progress of these students with the ACCESS for ELLs™ language proficiency test. Information on the ACCESS for ELLs™ test may be obtained at <http://nj.gov/education/bilingual/>. The public school district/service provider that provides language assistance services to LEP nonpublic school students must annually assess the progress that these students make in learning English. The public school district/service

provider may choose either the ACCESS for ELLs™ test or continue to use one of the other department-approved tests.

*Other indicators include: assessing the level of reading in English, reviewing the previous academic performance of the student as well as standardized tests in English and reviewing the input of teaching staff members responsible for the educational program of the pupil.

To provide Chapter 192 English as a second language (ESL) services, a certified teacher of the public school district or service provider develops and implements an individual student improvement plan for the students in English as a second language. An individual student improvement plan for English as a second language addresses:

- The student's needs assessment in English language skills (aural comprehension, speaking, reading, and writing)
- Instructional program (goals and measurable objectives, frequency and duration, and also teaching techniques, materials and resources)
- Exemptions from standardized testing in English, if applicable
- Evaluation procedures that are used to determine progress toward performance objectives
- The criteria for exiting the ESL program: at or above the cut-off level of English language proficiency on the department-approved language proficiency test and assessed on the basis of multiple indicators which at a minimum must include classroom performance, the student's reading level in English, the judgments of teaching staff members responsible for the educational program of the student, and performance on achievement tests in English.

To document eligibility for English as a second language (ESL) services, check the appropriate service in Section 4 of the student application (407-1 form) and record the corresponding assessment results.

HOME INSTRUCTION

[N.J.S.A. 18A:46A-2\(c\)](#)

[N.J.A.C. 6A:9](#) and [6A:16-10.1 et seq.](#)

Home instruction services are given in lieu of regular classroom instruction to an eligible student who is enrolled full-time in a nonpublic school and is unable to attend school for more than 10 consecutive school days or 20 cumulative school days or more during the school year due to temporary or chronic health condition or need for treatment which precludes participation in their usual educational setting.

The public school district/service provider responsible for the Chapter 192 home instruction must provide home instruction as soon as possible, but no later than five school days after the student is determined eligible. In Chapter 192 home instruction, the public school district/service provider provides instruction that meets the requirements of the nonpublic school in which the

student is enrolled full-time, excluding religious studies. Chapter 192 home instruction services must be provided by a teacher employed by the public school district/service provider who is a certified teacher.

Eligibility Criteria

- The student must be enrolled in a registered nonpublic school
- The student is unable to attend school for a period of more than 10 consecutive school days or 20 cumulative school days or more during the school year due to temporary or chronic health condition or need for treatment which precludes participation in their usual educational setting.
- The student must be determined eligible in accordance with *N.J.A.C. 6A:16-10.1*.

To document eligibility for home instruction, attach a copy of the licensed physician's recommendation to the student application (407-1 form) and check the appropriate service on the student application (407-1 form).

PART III CHAPTER 193 SERVICES

REFERRAL, EVALUATION AND DETERMINATION OF ELIGIBILITY

[N.J.S.A. 18A:46-19.1 et seq.](#)

[N.J.A.C. 6A:14 et seq.](#)

Referral

Referral and evaluation procedures are provided for the purpose of determining eligibility for special education and related services and for developing a service plan. Once a student application (407-1 form) for Chapter 193 services is submitted to the local public school district or service provider, the student is considered to have been referred.

When a school age student is referred for an initial evaluation to determine eligibility for special education programs and services, the full Child Study Team (CST), parent and regular education teacher who has knowledge of the student's educational performance must meet within 20 calendar days of the receipt of the student application (407-1 form) to determine whether an evaluation is needed.

The CST, parent and regular education teacher will review the existing evaluation data on the student, including evaluations and information provided by parents, current classroom-based assessments, and the observations of teachers and related service providers. On the basis of that review, they will determine whether an evaluation is warranted.

If an evaluation is warranted, the CST will determine the nature and scope of the evaluation and identify what additional data, if any, are needed. A determination will then be made on which CST members and/or specialists will conduct the evaluation.

Parents will receive a written notice of the meeting and copy of "Parental Rights in Special Education." The notice of the meeting must be sent early enough to ensure parental participation.

The notice must be written in language understandable to the general public and in the native language of the parent, unless it is clearly not feasible. The notice must include: a description of the action proposed or denied; an explanation of such action; a description of any options considered and the reason why the options were rejected; a description of the procedures, tests, records or reports and factors used to propose or deny an action; a description of any other factors relevant to the proposal or refusal; and a copy of the short procedural safeguards statement. Written notice regarding the determination(s) and proposed action(s) with the short procedural safeguards statement must be sent to parents within 15 calendar days of the determination.

After parental consent to the initial evaluation is obtained, the evaluation, determination of eligibility for special education and related services, and if eligible, the development and implementation of the services plan for the student must be completed within 90 calendar days.

A case manager must be assigned to a student when it is determined that an initial evaluation will be conducted. A CST member or speech-language specialist, when acting as a member of the CST, must be designated and serve as the case manager for each student with a disability. The case manager will coordinate the development, monitoring and evaluation of the effectiveness of the student's services plan. The case manager will also facilitate communication between home and school and will coordinate the annual review and reevaluation process.

Initial Evaluation

An initial evaluation of a student for Chapter 193 must consist of a multi-disciplinary assessment in all areas of suspected disability. Such evaluation must include at least two assessments conducted by at least two members of the CST in those areas in which they have appropriate training or are qualified through their professional licensure or educational certification and other specialists in the area of disability as required or as determined necessary. The evaluation must:

- Be conducted in the language or form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally unless it is not feasible to do so
- Include valid and reliable assessments which are administered by trained personnel in accordance with protocols and instructions of the producer of the assessment
- Include standardized test(s) and a functional behavior assessment, an assessment of the language needs of a child with limited English proficiency, assessment of student's communication needs, and assessment of the need for assistive technology devices and services

The parent(s) or guardian(s) must receive a copy of the evaluation reports at least 10 days prior to the eligibility conference.

All CST evaluations must be complete by June 30 of the current school year to bill in the current year. If the evaluation is not complete by June 30, the entire evaluation is billed in the new school year.

CST evaluations must be complete to receive payment. Partial evaluations will not be reimbursed.

Eligibility Criteria

- The student must be determined eligible in accordance with [N.J.A.C. 6A:14-3.5](#).
- If eligible, the student must have a services plan developed in accordance with [N.J.A.C. 6A:14-6.2\(g\)li](#).

The services plan must include the following components:

- Statement of student's present levels of academic achievement and functional performance, including how the student's disability affects the student's involvement and progress in the general education curriculum;
- Statement of measurable annual goals that are related to the core curriculum content standards through the general education curriculum unless otherwise required according to the student's educational needs;
- Short-term objectives to enable the student to be involved in and progress in the general educational curriculum and to meet the educational needs resulting from the student's disability,
- Statement of special education and related services and supplemental aids and services that are provided to the student, or statement of program modifications or supports that are provided for school personnel on behalf of the student to advance to the annual goals, to be involved in and progress in the general education curriculum, to participate in extracurricular and other nonacademic activities, and to be educated and participate with other students with disabilities and nondisabled students;
- Statement, as appropriate, of integrated therapy services to be provided addressing the student's individualized needs in his or her educational setting;
- Explanation of the extent if any, to which the student will not participate with nondisabled students in the general education class;
- Statement of the projected date for the beginning of services and modifications, and the anticipated frequency, location and duration of services and modifications;
- Beginning at least three years before the child reaches age 18, a statement that the child has been informed of the rights under [N.J.A.C. 6A:14](#) that will transfer to the student on reaching age of majority;
- Statement of how the student's progress toward annual goals will be measured;
- Statement of how the student's parents will be regularly informed of the student's progress toward the annual goals and the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year, and the parents of the student are informed of the progress as often as parents of a nondisabled student are informed of their child's progress.

NOTE: To avoid a conflict of interest or the appearance of any conflict of interest, the NJDOE recommends that districts contract with one entity to evaluate students for services and a different entity to deliver services to students.

Annual Evaluation

Annually, or more often if necessary, a services plan must be reviewed in a meeting that includes: the parent, at least one CST member who can interpret the instructional implications of the evaluation results, at least one general education teacher of the student who is knowledgeable about the student's educational performance, at least one special education teacher or service provider, the case manager who is a CST member, other appropriate individuals at the discretion of the parent or public agency, a representative of the public agency (who may be the case manager) and the student where appropriate. A team member whose area is not being discussed may be dismissed from a meeting with the consent of parents.

Reevaluation

Reevaluations must be conducted in accordance with [N.J.A.C. 6A:14-3.8](#), as follows:

- Be conducted within three years of the previous classification, a multi-disciplinary reevaluation (must be two or more different tests) must be completed to determine whether the student continues to be a student with a disability.
- Be conducted sooner if conditions warrant or if the student's parent or teacher requests the reevaluation.
- Not be conducted prior to one year from the date the parent or guardian was notified of the student's eligibility in the most recent evaluation or reevaluation, unless the parent and district both agree that a reevaluation prior to one year is warranted.
- If a parent provides written consent and the district board of education agrees that a reevaluation is unnecessary, the reevaluation may be waived. If a reevaluation is waived, the date of the parent's written consent will constitute the date upon which the next three-year period for conducting a reevaluation will begin.

An annual review may not take place within 6 months of a reevaluation unless the parent requests it in writing and submits a 407-1 form.

At the time a student is determined to no longer need Chapter 193 services, but may not be ready for regular instruction without additional support, the CST may recommend that the student receive Chapter 192 services for one year. The CST recommendation will take the place of test score requirements for one year of Chapter 192 services.

In Section 5 of the student application (407-1 form), check the appropriate service: initial evaluation, annual review, or reevaluation.

SUPPLEMENTARY INSTRUCTION

[N.J.S.A. 18A:46-19.1 et seq.](#)

[N.J.A.C. 6A:14 et seq.](#)

Supplementary instruction is provided to a student with a disability classified as eligible for special education and related services as an addition to the primary instruction for the subject being taught. The program of supplementary instruction must be specified in the services plan. An appropriately certified teacher provides supplementary instruction individually or in groups according to the numbers for support resource programs.

Eligibility Criteria

- The student must be determined eligible in accordance with [N.J.A.C. 6A:14-3.5.](#)
- If eligible, the student must have a services plan developed in accordance with [N.J.A.C. 6A:14-6.2 \(g\)1i.](#)

To document eligibility for supplementary instruction, check the appropriate service in Section 5 of the student application (407-1 form). Initial student applications (407-1 forms) may include documentation for multiple services. However, each subsequent service for which a student may become eligible will require the completion of a separate student application (407-1 form).

A copy of the service plan will be maintained by the local school district or service provider as contracted.

SPEECH-LANGUAGE

[N.J.S.A. 18A:46-19.1 et seq.](#)

[N.J.A.C. 6A:14 et seq.](#)

Speech-language services include language, articulation, voice, and fluency. Speech-language services are provided to a classified student as an addition to the regular instructional program. The program of speech-language services must be specified in the services plan. An appropriately certified speech-language specialist provides speech-language services individually or in groups not to exceed five students.

Eligibility Criteria

- The student must be determined eligible in accordance with [N.J.A.C. 6A:14-3.6.](#)
- If eligible, the student must have a services plan developed in accordance with [N.J.A.C. 6A:14-6.2 \(g\)1i.](#)

To document eligibility for speech-language services, attach a copy of the services plan to the student application (407-1 form) and check the appropriate service in Section 5 of the student application (407-1 form). Initial student applications (407-1 forms) may include documentation for multiple services. However, each subsequent service for which a student

may become eligible will require the completion of a separate student application (407-1 form).

Record Keeping

All testing and service records should be retained by the district for proof that service was provided.

PART IV

APPENDICES

APPENDIX A

Definition of Terms for K-2 Eligibility Criteria for Compensatory Education	
ASSESSMENT	A systematic procedure for obtaining information from observation, interviews, portfolios, projects, tests, and other sources that can be used to make judgments about characteristics of children or programs.
PERFORMANCE-BASED ASSESSMENTS	Provides answers to the questions, “What is the child learning?” and “How can I better support the child’s learning and development?” With performance-based assessment, collections of data about each child are gathered by the teacher over time and from multiple sources, including, anecdotes, focused observations, children’s self-evaluations, and work samples. The data is interpreted through rubrics and rating scales with reliability and validity achieved by carefully scoring criteria and through training sessions to establish inter-rater reliability.
SCREENING	The use of a brief procedure or instrument designed to identify, from within a large population of children, those who may need further assessment to verify developmental and/or health risks. Includes a sampling of children’s skills across areas of language, reasoning, gross motor, fine motor, and social development; Screening tools are not designed to show progress over time; and should be only one of multiple sources of information when considering any kind of intervention.
FORMAL ASSESSMENTS	A procedure for obtaining information that can be used to make judgments about characteristics of children or programs using standardized instruments. Standardized tests are instruments that are administered, scored, and interpreted in a standard manner. They may be either norm-referenced or criterion-referenced. With a criterion-referenced test, the test-taker's performance (score) is interpreted by comparing it with a pre-specified standard or specific content and/or skills. With a norm-referenced test, the test-taker's performance is interpreted in relation to the performance of a group of peers who have previously taken the same test.
OBSERVATIONAL ASSESSMENT	A process in which the teacher systematically observes and records information about the child's level of development and/or knowledge, skills, and attitudes in order to make a determination about what has been learned, improve teaching, and support children's progress. A checklist or notes are often used to record what has been observed.

APPENDIX B

PERFORMANCE-BASED ASSESSMENTS			
INSTRUMENT	COMPONENTS	SCORING	GRADES
Work Sampling System (WSS)	Seven broad areas of child development <ul style="list-style-type: none"> • Developmental Checklist • Portfolio Collection • Summary Report 	3 point scale	P-6th
Child Observation Record (COR)	Six broad areas of child development <ul style="list-style-type: none"> • Anecdotal Note cards • Parent Report Forms 	5 point scale	P-K (children 2 ^{1/2} -6 years)

SCREENINGS			
INSTRUMENT	AREAS ASSESSED	AGES	ADMINISTERED
The Early Screening Inventory-Kindergarten (ESI-K)	<ul style="list-style-type: none"> • GENERAL • Visual motor/adaptive • Language and cognition • Gross motor skills 	4.5 – 6.0	upon entry to a kindergarten program
Brigance K & 1 Screen-II	<ul style="list-style-type: none"> • GENERAL • Motor • Concepts • Language • Self-help • Social development 	5.0 - 6.11	upon entry to kindergarten program and first grade

READING SCREENING EXAMPLES			
INSTRUMENT	AREAS ASSESSED	GRADES	ADMINISTERED
The Dynamic Indicators of Basic Early Literacy Skills (DIBELS)	<ul style="list-style-type: none"> • phonological awareness • phonics • fluency • vocabulary • comprehension 	K-3	Fall, Winter, and Spring
Developmental Reading Assessment (DRA)	<ul style="list-style-type: none"> • phonological awareness • phonics • fluency • vocabulary • comprehension 	K-8	Kindergarten: Winter and Spring Grades 1 & 2: Fall, Winter and Spring

APPENDIX C

Recommended Supports for Struggling Students in Kindergarten through Grade 3 :

- Provide support as a seamless part of classroom activities that do not isolate a child or diminish a child's sense of well-being, competence or being a part of their age group.
- Any special assistance should be as non-intrusive as possible.
- Provide "push-in" or "in the classroom" supports with the primary teacher's input.
- Supports need to be individualized and revisited frequently.
- Build on strengths and interests of the child and what a child already knows.
- Provide materials that are meaningful, authentic, "hands-on" manipulatives, in a context where the instructor is embedded in small groups of children or one-on-one with the child.
- Build on topics already under investigation in the classroom.
- Supports should be assessed with a high quality and research-based ongoing K-3 performance based assessment tool based on actual work samples along with a high quality and research based reading screening (Kindergarten – 2x a year starting in Jan, 1-3rd grades- 3x a year).

APPENDIX D

NONPUBLIC SCHOOL SERVICES GUIDANCE CHAPTER 192/193 - TIMELY AND MEANINGFUL CONSULTATION

Statutes

N.J.S.A. 18A:46-19.7. Contracts for speech correction services. A board of education may contract with an educational improvement center, an educational services commission or other public or private agency approved by the commissioner other than a church or sectarian school, for the provision of examination, classification and speech correction services required by this act. Prior to any change in the provision of these services, the board shall provide timely and meaningful consultation with appropriate nonpublic school representatives, including parents.

N.J.S.A. 18A:46A-7. Contracts for auxiliary services. Any board of education may contract with an educational improvement center, an educational services commission or other public or private agency, other than a church or sectarian school, approved by the commissioner for the provision of auxiliary services. Prior to any change in the provision of these services, the board shall provide timely and meaningful consultation with appropriate nonpublic school representatives, including parents.

Guidance

The objective of *timely* and *meaningful* consultation is to provide the best services possible to the students in nonpublic schools. Toward that end, the New Jersey Department of Education recommends that discussions occur between the head of the nonpublic school (or his/her designee) and the student's parents in a time frame suitable to understand the student's needs and properly arrange for services to begin as close to the start of the school year as possible. Ideally, such consultations will take place over the summer and *prior* to services being bid, contracted and provided, and then as needed throughout the year.

The department recommends that the discussions include the following topics:

- The total amount of funds allocated to the nonpublic school for the upcoming school year;
- The total amount of administrative fees anticipated;
- The amount of funds remaining mid-way through the year;
- Any remaining amounts that the nonpublic may want to expend, with sufficient time for the funds to be used in an efficient and effective manner;
- The time, place and format of services; and
- The method of student assessment for both evaluative and formative purposes and the means by which the results will be communicated to both the nonpublic school and parents of the nonpublic school student.

According to the statute, "Prior to any change in the provision of these services the board shall provide timely and meaningful consultation with appropriate nonpublic school representatives,

including parents.” Any change to a provider of nonpublic school services is a change requiring prior consultation. The department recommends that the consultation include the following:

- Input from both the nonpublic school administrator and parents regarding their level of satisfaction with the current provider and their concerns relative to the need for, delivery and quality of services and outcomes desired. Input from parents may be gathered through a survey, a face-to-face meeting or through the nonpublic school administrator.
- The board’s reasons why it wants to change the provider.
- A listing of providers available that offer the services and their suitability for the students’ situations.

Once a decision to change providers has been made, and prior to the effective date of the change in service, the nonpublic school shall be notified.

APPENDIX E

New Jersey State Department of Education Form 407-1 Nonpublic School Student Application for Chapter 192 & 193 Services School Year 2014-2015
--

This application form is for the parent/guardian to request auxiliary/remedial services for his/her child. The parent/ guardian must complete the application and submit it to the nonpublic school or directly to the public school district *where the nonpublic school is located* (not the district where the parent resides).

1. NONPUBLIC SCHOOL		2. STUDENT	
School:		Name (last):	
Address:		Name (first):	
City:		Address:	
Zip Code:	County:	City:	
Telephone:		Zip Code:	County:
Principal:		Telephone:	
		Grade:	Birth date:
		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	
		Parents' email address:	
		Parents' cell phone:	
3. STUDENT DATA			
Race/Ethnicity: <input type="checkbox"/> American Indian <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Pacific <input type="checkbox"/> White			
City of Birth:			
State of Birth:			
Country of Birth:			
Resident District Name:		Resident School Name:	
4. CHAPTER 192 SERVICES			
Check one: <input type="checkbox"/> Initial application for service <input type="checkbox"/> Application to continue service			
Services requested			
a) <input type="checkbox"/> Language Arts Literacy <input type="checkbox"/> Reading <input type="checkbox"/> Writing			
b) <input type="checkbox"/> Math			
Eligibility Criteria			
Grade 3-12: Assessment Name:		Score:	
Grades K-2 (must include 3 of the 4 listed below) <input type="checkbox"/> Teacher and parent survey, interviews, observational assessments <input type="checkbox"/> Work samples collected over time, including performance based assessments <input type="checkbox"/> Developmental screenings, checklists <input type="checkbox"/> Report cards, tests, projects			
c) <input type="checkbox"/> English Language Learner		Native Language of Student:	
d) <input type="checkbox"/> Home Instruction – see disposition below**			
Parent/ Guardian Request			
I hereby request that my child, named above, receive the services indicated herein pursuant to Chapter 192 Laws. I certify that the above named child and I are residents of the State of New Jersey and that the address given above is our domicile. I understand that the Board of Education of the public school district in which the nonpublic school is located is responsible for providing the services indicated herein pursuant to law and regulations.			
Print Name of Parent/Guardian:			
Signature:		Date:	
Disposition (The district board of education responsible for providing services completes this section.)			
Date Application Received:	Date Services Began:	Date Services Ended:	
Services Not Provided (state reason):			
** No. of hours of Home Instruction Provided to Nearest Tenth:			
Name of Service Provider if Other Than District:			
Public School District:			
Signature of Chief School Administrator:		Date:	

5. CHAPTER 193 SERVICES <ul style="list-style-type: none"> District keeps a copy for its records and if applicable forwards a copy to the contracted service provider District keeps a copy for IDEA services when the student is eligible for supplementary instruction and/or speech-language services 		
Check one: <input type="checkbox"/> Initial application for service <input type="checkbox"/> Application to continue service		
Service requested (complete one form for each service requested)		
a) <u> </u> EVALUATION AND DETERMINATION OF ELIGIBILITY		
<input type="checkbox"/> Initial Evaluation		
<input type="checkbox"/> Annual Review		
<input type="checkbox"/> Reevaluation		
b) <u> </u> SUPPLEMENTAL INSTRUCTION		
Student's Eligibility – Federal Category:		
c) <u> </u> SPEECH - LANGUAGE		
<input type="checkbox"/> Speech Evaluation		
<input type="checkbox"/> Speech-Language Services		
Parent/ Guardian Request I hereby request that my child, named above, receive the services indicated herein pursuant to Chapter 193 Laws. I certify that the above named child and I are residents of the State of New Jersey and that the address given above is our domicile. I understand that the Board of Education of the public school district in which the nonpublic school is located is responsible for providing the services indicated herein pursuant to law and regulations.		
Print Name of Parent/Guardian:		
Signature:		Date:
Disposition (The district board of education responsible for providing services completes this section.)		
Date Application Received:	Date Services Began:	Date Services Ended:
Services Not Provided (state reason):		
Name of Service Provider if Other Than District:		
Public School District:		
Signature of Chief School Administrator:		Date:

New Jersey State Department of Education
Form 407-1 NR Non New Jersey Resident
Nonpublic School Student Application for Chapter 193 Services
School Year 2014-2015

This application form is for the parent/guardian to request auxiliary/remedial services for his/her child. The parent/ guardian must complete the application and submit it to the nonpublic school or directly to the public school district *where the nonpublic school is located* (not the district where the parent resides).

1. NONPUBLIC SCHOOL		2. STUDENT	
School:		Name (last):	
Address:		Name (first):	
City:		Address:	
Zip Code:	County:	City:	
Telephone:		Zip Code:	County:
Principal:		Telephone:	
		Grade:	Birth date:
		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	
		Parents' email address:	
		Parents' cell phone:	
3. STUDENT DATA			
Race/Ethnicity: <input type="checkbox"/> American Indian <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Pacific <input type="checkbox"/> White			
City of Birth:			
State of Birth:			
Country of Birth:			
Resident District Name:		Resident School Name:	
4. CHAPTER 193 SERVICES			
Check one: <input type="checkbox"/> Initial application for service <input type="checkbox"/> Application to continue service			
Service requested (complete one form for each service requested)			
e) <u> </u> EVALUATION AND DETERMINATION OF ELIGIBILITY			
<input type="checkbox"/> Initial Evaluation			
<input type="checkbox"/> Annual Review			
<input type="checkbox"/> Reevaluation			
Parent/ Guardian Request			
I hereby request that my child, named above, receive the services indicated herein pursuant to Chapter 193 Laws. I understand that the Board of Education of the public school district in which the nonpublic school is located is responsible for providing the services indicated herein pursuant to law and regulations.			
Print Name of Parent/Guardian:			
Signature:			Date:
Disposition (The district board of education responsible for providing services completes this section.)			
Date Application Received:		Date Services Began:	
Date Services Ended:			
Services Not Provided (state reason):			
Name of Service Provider if Other Than District:			
Public School District:			
Signature of Chief School Administrator:			Date:

- District keeps a copy for its records and where applicable forwards a copy to the contracted service provider
- District keeps a copy for IDEA services when the student is eligible for supplementary instruction and/or speech-language services

APPENDIX F

CHAPTER 192/193 PROCEDURES FOR STATE AID AUDIT

The Office of Fiscal Accountability and Compliance (OFAC) State Aid Audit Unit (SAAU) conducts verifications of student services reported on the annual Chapter 192 and 193 *Nonpublic Project Completion Report (PCR)*. The audits verify state aid paid to public school districts by verifying eligibility for nonpublic students reported on the PCR. This entails detailed examination of individual student record files for all services reported on the PCR. In order to facilitate the information needed for OFAC audit the following information must be retained and provided for audit by each school district or nonpublic service provider:

- Completed Application Form 407-1 indicating each specific service for all students that generate state aid, as reported on the PCR.
- A complete student service listing indicating the name of every student eligible for services which have been reported on the PCR for each service category.
- Documentation that each Chapter 192 student has been tested or evaluated in accordance with the Department of Education's publication for the applicable fiscal year, entitled: CHAPTER 192 & 193 PROGRAMS FOR NONPUBLIC SCHOOL STUDENTS MANUAL as follows:
 - For Kindergarten through grade two students, a file that contains complete portfolio information demonstrating the criteria used to determine eligibility for Compensatory Education.
 - For grades three through twelve students, evidence of standardized tests administered and the resulting test scores. For all students testing above the 40th percentile and less than the 50th percentile, a file containing multiple measures documenting continued eligibility in the program must be presented for review. NOTE: no students scoring above the 50th percentile on standardized tests will be included as an eligible student on a state aid audit for PCR reporting.
- Appropriate Bilingual, LEP, ESL test results for all applicable students reported on the PCR.
- Documentation for each Chapter 193 student including Service Plan (SP) developed by the Child Study Team (CST) for all evaluations, reevaluations and annual reviews. Evaluation requiring Speech Correction and/or Supplemental Instruction must be verified. SP for evaluations and reevaluations must contain evidence of the minimum two tests administered by the CST for the evaluation.
- Each Chapter 192 or 193 student must be identified as an enrolled student in attendance records of each nonpublic school in order for the students to be counted as eligible for state aid purposes. The SAAU examines the enrollment status for students who are eligible for state aid funding. If necessary, as an alternative to the nonpublic school

attendance records, students can be verified to B8T forms using the certification of nonpublic student transportation.

- Each Chapter 192 or 193 student must be verified to a service billing record submitted to the public school district for payment of Chapter 192/193 services. This service billing must be submitted by the service provider for the appropriate school year.
- In coordination with service billing, the provider must document on a Chapter 192 or 193 service record that services were provided by the appropriate teacher employed by the service provider. This will be used to verify the state aid payment for each service.

EXAMPLES OF AUDIT FINDINGS THAT CAN LEAD TO DISQUALIFICATION OF STATE AID

- No 407-1 application on file for each student indicating each individual service
- Student not included as an enrolled student in nonpublic attendance register or B8T
- Lack of complete eligibility portfolio for Kindergarten through Grade 2 students – compensatory education
- No tests administered for Grade 3 through Grade 12 students-compensatory education
- Students scoring at or above the 50th percentile
- Students scoring above the 40th percentile and under the 50th percentile without multiple measures such as teacher recommendation for continued services, report cards, writing samples, quizzes, etc.
- Bilingual, ESL, LEP student with no appropriate test score documented
- Student not included on the service provider's service/attendance records
- Parental refusal, student transferred or dropped out of school prior to delivery of any services, or students with less than two documented service dates
- Initial evaluations or reevaluations with less than two forms of tests administered as part of the CST review
- Annuals reviews which occur during the same fiscal year, within a period of six months of a reevaluation, without written request for reevaluation by the parent.

OTHER COMPLIANCE REQUIREMENTS

- When included as part of the OFAC audit, 6% program administration costs must be utilized to implement administrative services by the district, if such funds are retained by the district, pursuant to N.J.S.A. 18A:46A-8.
- When included as part of the OFAC audit, 18% facilities rental costs must be utilized within the limits established, pursuant to N.J.S.A. 18A:46A-8.